

COPY

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

SAN BRUNO COMMITTEE FOR
ECONOMIC JUSTICE et al.,

Petitioners,

v.

CITY OF SAN BRUNO,

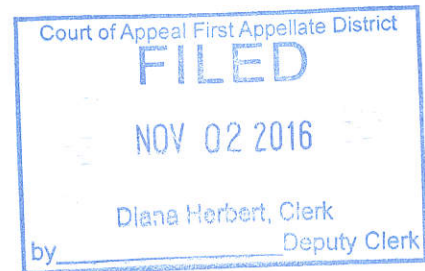
Defendants and Respondents;

SAN BRUNO HOTELS LLC et al.,

Real Parties in Interest.

A149409

(San Mateo County
Super. Ct. No. CIV538861)



BY THE COURT:

RECEIVED

NOV 04 2016

City of San Bruno
City Attorney

The petition for writ of supersedeas is denied. Petitioners have not met their burden “to show the necessity for the writ.” (*Deepwell Homeowners’ Protective Assn. v. City Council* (1965) 239 Cal.App.2d 63, 68.) First, petitioners do not demonstrate that substantial issues will be raised on appeal. (*Nuckolls v. Bank of California, Nat. Assn.* (1936) 7 Cal.2d 574, 578; see *City of San Diego v. Dunkl* (2001) 86 Cal.App.4th 384, 402; *Fishman v. City of Palo Alto* (1978) 86 Cal.App.3d 506, 510; *Lincoln Property Co. No. 41, Inc. v. Law* (1975) 45 Cal.App.3d 230, 235; *Valentine v. Town of Ross* (1974) 39 Cal.App.3d 954, 958.) Second, the petition and exhibits do not make a sufficient factual showing that respondents will not be disproportionately injured in case of affirmance. (*California Table Grape Com. v. Disputo* (1971) 14 Cal.App.3d 314, 316.) Third, petitioners do not show they will suffer irreparable injury if the writ does not issue to preserve the status quo pending appeal. (*People ex rel. S. F. Bay etc. Com. v. Town of*

Emeryville (1968) 69 Cal.2d 533, 538 [supersedeas proper if “the fruits of a reversal would be irrevocably lost unless the status quo is maintained”].)

The previously issued temporary stay is hereby dissolved.

Date: NOV 02 2016 HUMES, P.J. P.J.

Before: Humes, P.J., Margulies, J., and Banke, J.